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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
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In re Application of
PETER TIEMANN
Application No.: 10/558,893
PCT No.: PCT/EP04/04442
Int. Filing Date: 27 April 2004
Priority Date: 30 May 2003
Attorney's Docket No.: 2003P06127WOUS
For: COMBUSTION CHAMBER

DECISION
ON PETITION UNDER
37 CFR 1.43

This decision is in response to applicant's response to the Notification of Missing Requirements, treated as a Petition under 37 CFR 1.43 filed in the United States Patent and Trademark Office (USPTO) on 13 October 2006.

BACKGROUND

On 27 April 2004, applicant filed international application PCT/EP04/04442, which claimed a priority date of 30 May 2003. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 09 December 2004.

On 30 November 2005, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 14 August 2006, a Notification of Missing Requirements was mailed indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b) was required. On 13 October 2006, applicant filed a response along with a declaration executed by Iris Oltmanns on behalf of herself and as legal representative for inventor Peter Tiemann. The response is treated as a petition under 37 CFR 1.43.

DISCUSSION

The oath or declaration for entry into the national stage in the United States must comply with 37 CFR 1.497(a)-(b). The 13 October 2006 submission indicates that Peter Tiemann is legally incapacitated and that Iris Oltmanns has been appointed his legal representative.

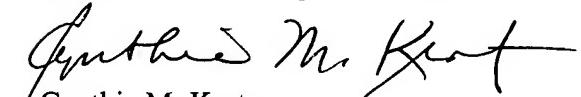
Under 37 CFR 1.43, in the event of legal incapacitation of an inventor, "the legal representative ... of such inventor may make the necessary oath or declaration, and apply for and obtain the patent." The 13 October 2006 declaration identifies Iris Oltmanns as the Legal Representative and provides her residence, citizenship and address in addition to Mr. Tiemann's residence, citizenship and address. The 13 October 2006 declaration complies with 37 CFR 1.497(a)-(b).

CONCLUSION

Applicant's request for status under 37 CFR 1.43 is **GRANTED**.

The application has an international filing date of 27 April 2004 under 35 U.S.C. §363 and a date of 13 October 2006 under 35 U.S.C. §371(c)(1), (c)(2) and (c)(4).

This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing.



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